## IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:04cr223

UNITED STATES OF AMERICA	)	
	)	
VS.	)	
	)	<u>ORDER</u>
CHERYL TURNER	)	
	)	

**THIS MATTER** is before the Court upon motion of the defendant for review of detention. (Doc. No. 151). For the reasons stated below, the Court DENIES the motion.

The defendant pled guilty to Counts One and Three of the Second Superseding Indictment on September 7, 2005, charging violations of 21 U.S.C. §§ 846 and 943. (Doc. No. 110: Plea Agreement; Doc. No. 121: Acceptance and Entry of Guilty Plea). Pursuant to § 3145(b), the defendant seeks review of the magistrate judge's detention order entered April 22, 2005 (Doc. No. 70).

Upon review of the record, even in a light most favorable to the defendant, the Court finds the circumstances alleged by the defendant are insufficient for this Court to alter the Order of Detention, particularly in light of the magistrate judge's finding that the pretrial services report established the defendant is a career criminal (Doc. No. 70). Additionally, the defendant has not proved that she meets the conditions for release pending sentencing detailed in § 3143(a)(2).

IT IS, THEREFORE, ORDERED that the defendant's motion is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals service, and the U.S.

Probation office.

## Signed: December 1, 2005

Robert J. Conrad, Jr.

United States District Judge